HOUSING DEPARTMENT ("HD")

Case No. OMB 2004/4233

HD – refurbishment allowance – poor staff attitude and delay in paying an *ex gratia* allowance to the complainant for refurbishing her flat

In early July 2004, the complainant accepted HD's offer of a public rental housing unit and chose to receive an *ex gratia* allowance from HD to refurbish the flat. In late July, the complainant called an officer at the District Tenancy Management Office under HD, requesting to move in earlier. However, the officer refused to provide assistance.

2. The complainant moved in at the end of July. She called the property management agent of the housing estate many times from then to early November regarding payment of the refurbishment allowance, but had no definite answer. In early November, the property management agent finally told her that the HD officer had inadvertently omitted her case, so she would have to wait for another two months.

3. As no grave maladministration was involved in this case, our Office suggested resolving the matter by mediation. Both the complainant and HD agreed.

4. At the mediation meeting, HD's representatives explained that the officer concerned was new to the estate and the delay was unintentional. Furthermore, the property management agent had forgotten to inform HD of the complainant's call, hence prolonging the delay. The Department had reminded staff to be courteous and helpful to estate residents and directed the property management agent to improve its service. The HD representatives also apologised to the complainant.

5. The two parties signed a mediation agreement. The complainant agreed to withdraw her complaint against HD, while the HD representatives immediately handed her the refurbishment allowance.

STUDENT FINANCIAL ASSISTANCE AGENCY (“SFAA”)

Case No. OMB 2004/1185

SFAA – application for financial assistance – delay in processing such application under the Local Student Finance Scheme

A full-time student of a local university submitted his application for financial assistance under the Local Student Finance Scheme for 2003/04. He alleged that the SFAA staff who handled his application had been particularly difficult and demanded detailed financial information from all his family members. As a result, his application still had yet to be approved by April 2004. The staff also showed very poor attitude.

2. As the case did not involve serious maladministration, this Office suggested resolving the matter by mediation and both parties agreed.

3. At the mediation meeting, SFAA representatives explained to the complainant the normal policies and procedures for processing an application and the reasons for taking a long time over his application, whilst the complainant took the opportunity to answer some queries raised by SFAA.

4. After a candid exchange of views, the two parties reached an agreement. The complainant agreed to furnish the necessary supporting information as soon as possible. The representatives of SFAA undertook to expedite the process once they received the supplementary information. SFAA also apologised to the complainant and his family members for the poor attitude of the staff.

STUDENT FINANCIAL ASSISTANCE AGENCY ("SFAA")

Case No. OMB 2004/3414

SFAA – application for financial assistance – approving erroneously the complainant's applications for student financial assistance for her sons and recovering the funds a year later, causing great distress to the complainant and her family

The complainant applied to SFAA in May 2003 for financial assistance for her sons. She was later notified by SFAA that they were eligible for different forms of subsidy, including a 50% remission in school fees. The total amount of assistance was credited into her bank account by autopay in December 2003. The complainant then received a call from SFAA in August 2004 informing her that her applications had been wrongly approved and the financial assistance granted to her sons the year before had to be recovered. SFAA meanwhile sent her a demand note and telephoned her sons' school advising it to recover the school fees.

2. The complainant considered that as an applicant she had completed the application forms honestly. Due to an unfortunate mistake by SFAA, her family suffered distress and their household budget, disruption. The incident resulted in the integrity of her family members being questioned and her sons' dignity tarnished, rendering them unable to face their schoolmates. She, therefore, complained to this Office. She demanded that SFAA issue a letter to admit its mistake in handling the case and punish the staff concerned.

3. As no systemic maladministration was involved in the case, this Office suggested resolving the matter by mediation and secured the consent of both parties.

4. The complainant's husband attended the mediation meeting on behalf of the complainant and recounted the distress caused to their family. He expressed their dissatisfaction that SFAA had not written to explain and apologise. SFAA representatives explained the general procedures in processing applications for student financial assistance and the criteria for approval. They explained the circumstances under which the sons had been wrongly granted fee remission, textbook assistance and the student travel subsidy. They apologised for the distress caused to the complainant and family. SFAA representatives also produced a letter stating the Agency's position for delivery to the complainant. Meanwhile, the complainant's husband commented on the poor arrangements by SFAA in seeking repayment and considered that SFAA should write separately to their sons' school to clarify the matter.

5. After a candid exchange of views, the two parties signed a mediation agreement. SFAA undertook to send a written explanation to the school, with a copy to the complainant. SFAA would also review its procedures for processing applications for financial assistance to prevent recurrence. The complainant agreed to withdraw her case against SFAA, whilst SFAA would consider the complainant's financial condition and accept repayment by instalment of the money wrongly granted to her sons. After the mediation meeting, SFAA took the initiative to propose some repayment arrangements for the complainant's consideration.